

CHAPTER 120
VOCATIONAL CAREER AND TECHNICAL EDUCATION REGULATIONS

PART I
GENERAL PROVISIONS

8VAC20-120-10 Authority to promulgate; requirements for compliance with state and federal regulations.

~~Local education agencies operating vocational education programs shall comply with regulations of the State Board of Education including all requirements resulting from federal legislation.~~

These regulations are promulgated by the Board of Education, pursuant to §22.1-216 of the Code of Virginia for career and technical education programs funded in whole or in part with state funds. Federal laws pertaining to such programs permit state regulations in addition to federal requirements (see Carl D. Perkins Vocational and Technical Education Act of 1998, §121).

Local education agencies operating career and technical education programs shall comply with these regulations of the Board of Education and requirements of applicable federal legislation, including the Education Department General Administrative Regulations (EDGAR), and the Carl D. Perkins Vocational and Technical Education Act of 1998.

8VAC20-120-20 Definitions.

The following words and terms, when used in these regulations, shall have the following meanings, unless the context clearly indicates otherwise:

“All Aspects of An Industry” includes, with respect to a particular industry that a student is preparing to enter: planning, management, finances, technical and production skills, underlying principles of Technology, labor and environmental issues related to that industry.

“Board” means The Virginia Board of Education.

“Career and technical student organizations” means those organizations for individuals enrolled in career and technical education programs that engage in an annual program of work including activities that are an integral part of the instructional program. These organizations may have state and national units that aggregate the work and purposes of instruction in career and technical education at the local level; if so, these organizations shall be (i) National FFA Organization; (ii) Future Business Leaders of America; (iii) Health Occupations Students of America; (iv) Family, Career and Community Leaders of America; (v) DECA: An Association of Marketing Students; (vi) Technology Student Association; and (vii) Skills USA - VICA.

“Categorical entitlement” means the amount of funding a local education agency is eligible to receive for a specific purpose, subject to state or federal regulations and the availability of funds.

“Competency-based education” means an instructional system that focuses on competencies needed for specific jobs, evaluation of student progress based on standards of the occupation or field, and the maintenance of student records of achievement in skill development.

“Cooperative education” means a method of instruction ~~for students~~ that combines ~~vocational~~ career and technical classroom instruction with paid employment directly related to the classroom instruction. ~~The two experiences~~ Both student instruction and employment are planned and supervised by the school and the employer so that each contributes to the student’s career objectives and employability.

“Data” means information, both written and verbal, concerning ~~vocational~~ career and technical education programs, activities, and students. Data include financial, administrative, demographic, and programmatic information and statistics.

“Department” means The Virginia Department of Education

“Disadvantaged” means individuals (other than ~~handicapped~~ individuals with disabilities) who have economic or academic disadvantages and who require special services and assistance in order to enable them to succeed in vocational programs. Such term includes individuals who are members of economically disadvantaged families, migrants, and individuals who are dropouts from or who are identified as potential dropouts from secondary schools.

“Employability skills” means the generic skills related to seeking, obtaining, keeping and advancing in an occupation.

“Entitlement” means the amount of funding a local education agency is eligible to receive, subject to state or federal regulations and the availability of funds.

“Equipment” means any instrument, machine, apparatus, or set of articles which meets all of the following criteria:

1. It retains its original shape, appearance, and character with use;
2. It does not lose its identity through fabrication or incorporation into a different or more complex unit or substance;
3. It is nonexpendable; and
4. Under normal use, it can be expected to serve its principal purpose for at least one year.

“Extended contract” means a period of time provided to instructors for employment beyond the regular contractual period.

“Follow-up survey” means the collection of information regarding the status of students following completion of a vocational career and technical education program.

~~“General vocational advisory council” means a group of individuals, including representatives from business, industry, and labor, appointed by the local education agency to provide advice on program relevance and occupational demands, and to assist in the development of the local vocational plan and application.~~

~~“Handicapped” means individuals who are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, or other health impaired persons, or persons with specific learning disabilities, who by reason of what require special education and related services, and who because of their handicapped condition: (i) cannot succeed in the regular vocational education program without special assistance; or (ii) require a modified vocational education program.~~

~~“Individualized education program” means a written statement for each handicapped student developed in any meeting by a representative of the local education agency who shall be qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of handicapped students, the teacher, the parents of such student, and wherever appropriate, such student. The statement shall include: (i) a statement of the present levels of educational performance of such students; (ii) a statement of annual goals, including short term instructional objectives; (iii) a statement of the specific educational services to be provided to such students, and the extent to which such student will be able to participate in regular educational programs; (iv) the projected date for initiation and anticipated duration of such services; and (v) appropriate objective criteria and evaluation procedures and schedules for determining, at least on an annual basis, whether instructional objectives are being achieved.~~

~~“Least restrictive environment” means that educational setting for handicapped students which, to the maximum extent possible, provides for education and supplementary aid/services~~

~~necessary to the handicapped student's special needs, in settings comparable to, but not separate from those provided students who are not handicapped unless the nature of severity of the handicap requires such separation.~~

“Local education agency” means the local school division responsible for providing educational services to students; a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, town, school ~~district~~ division, or political subdivision in a state, or any other public educational institution or agency having administrative control and direction of a ~~vocational~~ career and technical education program.

~~“Local administrators and supervisors” means those persons in a local education agency who are charged with the responsibility for planning, developing, controlling, directing, supervising, and managing programs in vocational education.~~

“Local ~~vocational~~ career and technical education plan ~~and application~~” means a document submitted by a local education agency as prescribed by the Board of Education ~~identifying specific improvement goals and objectives to be achieved and setting forth the proposed~~ vocational career and technical education programs, services, ~~and activities, and specific~~ assurances of compliance with federal regulations.

~~“Program evaluation” means the assessment of vocational education programs for purposes of measuring the quality and effectiveness of instruction.~~

~~“Travel expenditure” means costs for the travel of vocational education personnel associated with program operation and administration.~~

“Section 504” means that section of the Rehabilitation Act of 1973 which is designed to eliminate discrimination on the basis of a disability in any program or activity receiving federal financial assistance.

“Training agreement” means a formal document, signed by the ~~teacher-coordinator~~ instructor, employer, parent or guardian, ~~and~~ student, and school administrator, which states the ~~policies~~ requirements affecting the cooperative education student, the terms of the student’s employment, and the responsibilities of all parties involved.

“Training plan” means a formal document that identifies classroom and on-the-job instruction which contributes to the employability of a each cooperative education student. (A recommended format is available from the Department of Education.)

~~“Vocational program” means the full sequence of courses leading to preparation for employment.~~

~~“Work station” means an area that provides the necessary environment and resources to enable each student to accomplish a specific competency or competencies within a course or program.~~

PART II

ADMINISTRATION OF VOCATIONAL CAREER AND TECHNICAL EDUCATION PROGRAMS

8VAC20-120-30 State/federal financial assistance.

Financial assistance shall be provided to support the operation, improvement, and expansion of ~~vocational~~ career and technical education.

1. Financial assistance provided through entitlements resulting from full-time equivalent student enrollments shall be used to support ~~vocational~~ career and technical education program operation.

2. Financial assistance provided through categorical entitlements shall be used to support the following:
 - a. ~~Local administration and supervision for individuals who are endorsed as directors of vocational education or as supervisors in the vocational program areas~~ Principals and assistant principals of technical education centers where if at least 50% of their time is spent in ~~vocational~~ career and technical education program administration or supervision.

 - b. ~~Travel incurred by local education agencies for the effective and efficient delivery of vocational education;~~

 - b. Extended contracts of instructors for activities related to the coordination, development, or improvement of ~~vocational~~ career and technical education programs;

 - c. Equipment included on the Recommended Equipment Approved for Career and Technical Education Programs lists ~~provided~~ by the Department of Education;

 - d. Adult ~~vocational~~ occupational career and technical education to provide opportunities for adults to prepare for initial employment, retraining, or career advancement.

~~f. Apprenticeship related instruction for apprentices registered with the U.S. Department of Labor.~~

~~3. Financial assistance provided through federal entitlements for serving disadvantaged and handicapped students may be used to support up to 50% of the excess costs associated with supplemental services provided to disadvantaged and handicapped students. Federal entitlements may not supplant state or local funds provided for this purpose.~~

8VAC20-120-40 Local vocational career and technical education plan and application.

~~Each local education agency eligible participant shall submit to the Department of Education a local vocational career and technical education plan and application, for review and approval, to the Department of Education. The local plan will be submitted as specified in Federal legislation. In addition to the local career and technical education plan, an annual budget funding application will be submitted to the Department for review and approval.~~

~~1. Each local education agency shall submit a local vocational plan and application which covers the same time period as the State Plan for Vocational Education.~~

~~2. The local plan and application shall include all statements of assurance and meet all necessary conditions prescribed by federal legislation.~~

~~3. In planning vocational education programs, services, and activities, consideration shall be given to similar programs, services, and activities provided by community colleges, adult education, employment training, proprietary schools, and other organizations.~~

8VAC20-120-50 ~~Vocational~~ Career and Technical Education Advisory Council.

Each local education agency or region shall establish a general ~~vocational~~ career and technical education advisory council to provide ~~advice~~ recommendations to the local educational agency (or board) on current job needs and the relevancy of ~~vocational~~ career and technical education programs offered and to assist in the development, implementation and evaluation of the local plan and application.

1. The council shall be composed of members of the public, including students, teachers, parents and especially representatives from business, industry, and labor, with including appropriate representation of both sexes and ~~the~~ racial and ethnic minorities found in the school, community, or region served by the council.
2. ~~A report shall be provided annually to the Department of Education describing activities of the Vocational Advisory Council.~~
2. The council shall meet at regular intervals during the year to assist in the planning, implementing and assessing of career and technical education programs.

8VAC20-120-60 ~~Program evaluation.~~

~~Each local education agency shall participate in state vocational education program evaluations, including student follow up surveys, every five years.~~

8VAC20-120-70 60 Reporting requirements.

Local education agencies shall provide data on ~~vocational~~ career and technical education for federal ~~reporting~~ and for state accountability requirements, planning and evaluation as prescribed by federal legislation and the Department of Education.

8VAC20-120-~~80~~ 70 Management of equipment inventory.

Local education agencies shall maintain a current inventory of all equipment items ~~having an acquisition cost of \$300 or more~~ purchased in whole or in part with federal or state funds. Equipment purchased with state funds must:

~~1. Such equipment shall be used in the program or project for which it was acquired. When the equipment item is no longer needed for the original program or project, it may be transferred to other programs or projects, supported in whole or in part with federal or state funds. If used less than full time in the project or program for which it was acquired, the equipment item may be shared with other programs or projects provided such other use will not interfere with work on the original program or project.~~

~~2. Equipment may be exchanged for replacement equipment either through trade in or through sale and the proceeds applied to the acquisition cost of the replacement equipment.~~

~~3. Items of equipment purchased in whole or in part with federal or state funds, and no longer used, shall be disposed of in accordance with provisions of Education Department General Administrative Regulations (EDGAR), 34 CFR, Part 72, Section 74.139 as revised July 1, 1983.~~

1. Be acquired in accordance with state procurement laws and regulations;

2. Include a local match equal to 50% of the purchase price of the equipment;
3. Be listed on the Recommended Equipment Approved for Career and Technical Education Programs list provided by the Department.

Equipment purchased with combined state and federal funds must be used in accordance with provisions of the Carl D. Perkins Vocational and Technical Education Act of 1998, and acquired and disposed of in accordance with federal Education Department General Administrative Regulations (EDGAR) and appropriate state procurement laws and regulations.

8VAC20-120-90 80 Construction of facilities.

Construction of ~~vocational~~ career and technical facilities shall comply with all federal and state regulations. Federal guidelines pertaining to construction of educational facilities as are provided by Education Department General Administrative Regulations (EDGAR). ~~34 CFR §§75.600 through 75.616 as revised July 1, 1983. Financial assistance, as available, may be used with local matching funds for architectural and engineering services, construction, supervision, and inspection services related to construction of the facility.~~

PART III
OPERATION OF ~~VOCATIONAL~~ CAREER AND TECHNICAL
EDUCATION PROGRAMS

~~8VAC20-120-100~~ 90 Access to ~~vocational~~ career and technical education programs.

~~Vocational~~ Career and technical education programs administered by local education agencies receiving federal or state education funds shall be made equally available and accessible to all persons, regardless of sex, race, creed, age, color, handicapping condition, or national origin.

~~8VAC20-120-110~~ 100 New ~~vocational~~ career and technical education programs.

The need for new occupational preparation programs shall be based on student and labor market demands.

~~8VAC20-120-120~~ 110 Program requirements.

The following operational requirements shall apply to ~~vocational~~ career and technical education programs.

~~1. The full sequence of courses shall be offered for each occupational preparation program.~~

~~2.1. Vocational Career and technical education programs shall be competency-based to ensure that students are prepared to enter employment and continue formal education and meet the following criteria:~~

3. ~~The following standards shall apply to competency based programs in vocational education~~
- a. ~~Role-relevant~~ State established, industry-validated competencies are identified and stated.
 - b. Competencies are specified to students prior to instruction.
 - c. ~~Criterion referenced measures are used to evaluate achievement of competencies; and~~ Measures for successful performance of individual competencies are identified, stated, and used to evaluate achievement of competencies.
 - d. A system exists for rating and documenting the ~~competencies achieved by each student~~ competency performance of each student.
 - e. Competencies shall address all aspects of the industry and employability skills.

8VAC20-120-130 120 ~~Special populations.~~ Individualized programs for students with disabilities

~~Handicapped and disadvantaged students enrolled in vocational education programs shall be served in the least restrictive environment. Individualized education programs or handicapped students enrolled in occupational preparation programs shall be developed cooperatively by special education and vocational education representatives. Essential competency profiles, provided by the Department of Education for career and technical education courses, may be modified for students with Individualized Education Plans (IEP's) or Section 504 Plans who are~~

enrolled in career and technical education courses. Such modification shall be made in conformance with IEP requirements as stated in *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*. The modified list of essential competencies, must, as a group, be selected so that student attainment of the essential competencies prepare the student for a job or occupation.

~~1. Information concerning the opportunities available in vocational education shall be provided to handicapped and disadvantaged students and parents of such students no later than the beginning of the ninth grade, together with the requirements for eligibility for enrollment in such vocational education programs.~~

~~2. Each student who enrolls in a vocational education program and is identified as being disadvantaged or handicapped shall receive:~~

~~a. Assessment of interests, abilities, and special needs with respect to successful completion of the vocational education program.~~

~~b. Special services, including adaptation of curriculum, instruction, equipment, and facilities, designed to assist handicapped and disadvantaged students to successfully complete the vocational education program;~~

~~c. Guidance, counseling, and career development activities conducted by professionally trained counselors who are associated with the provisions of such special services; and~~

~~d. Counseling services designed to facilitate the transition from school to post-school employment and career opportunities.~~

~~8VAC20-120-140~~ 130 Cooperative education.

A training plan and training agreement shall be developed and followed for each student ~~placed in a cooperative education setting~~ receiving training through cooperative education.

1. Career and technical education programs using the cooperative education method of instruction shall:

a. be limited to an average of 20 students per instructor per class period where the cooperative method of instruction is required;

b. have a class period assigned to the instructor for on-the-job coordination for each 20 students participating in on-the-job training.

c. specify provisions for instructor travel for on-the-job coordination.

2. Parties to the training agreement shall include the student, parent or guardian, instructor, employer, and a school administrator.

~~8VAC20-120-150~~ 140 Maximum class size.

Enrollment in ~~vocational~~ career and technical education ~~classes~~ courses shall not exceed the number of individual work stations. ~~In addition, enrollments shall be restricted as follows:~~

~~1. Vocational education laboratory classes which use equipment that could result in bodily injury, if operated in an unsafe or improper manner, shall be limited to a maximum of 20 students per instructor.~~

~~2. Vocational education programs using the cooperative education method of instruction shall: (i) be limited to 20 students per instructor per class period where the cooperative education method is required and (ii) have no more than 20 students for each period assigned to the instructor for on the job coordination.~~

~~3.1. Vocational Career and technical education classes courses especially designed approved for disadvantaged students shall be limited to an average of 15 students per instructor, per class period with no class being more than 18.~~

~~4.2. Vocational Career and technical education classes courses specially designed approved for handicapped students with disabilities shall be limited to an average of 10 students per instructor per class period with no class being more than 12 or up to an average of 12 students per class period with no class being more than 15 where an instructional aide is provided.~~

8 VAC 20-120-160 150 Vocational Career and technical education student organizations.

~~A vocational career and technical education student organizations organization shall be an integral and active part of each secondary vocational career and technical program (grades 9, 10, 11, 12) offered. The following criteria will be met:~~

~~1. All vocational career and technical education students shall be provided opportunities to participate in instructional activities of the local organization whether or not dues are paid.~~

2. Each middle school career and technical education program (grades 6-7-8) offered shall include co-curricular instructional activities related to the respective career and technical education student organization.

3. Where dues are collected for membership in such organizations, payment of such dues shall not determine a student's participation in instructional activities of the local organization.

~~Vocational student organizations are:~~

- ~~1. Agricultural education — Future Farmers of America (FFA);~~
- ~~2. Business education — Future Business Leaders of America (FBLA);~~
- ~~3. Health occupations education — Health Occupations Students of America (HOSA);~~
- ~~4. Home economics education — Future Homemakers of America/Home Economics Related Occupations (FHA/HERO);~~
- ~~5. Marketing education — Distributive Education Clubs of America (DECA);~~
- ~~6. Technology education — Technology Student Association (TSA);~~
- ~~7. Trade and industrial education — Vocational Industrial Clubs of America (VICA).~~

8VAC20-120-170 160 Student safety

1. Each career and technical education program shall include health and safety standards that are applicable to the operation of that program which shall be made an integral part of program instruction.

2. Career and technical education laboratory classes which use equipment that could result in bodily injury shall be limited to a maximum of 20 students per instructor.

3. Each career and technical education program shall comply with applicable federal and state laws and regulations related to health and safety.

10/26/00